



United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 27, 2013

**BY HAND AND ECF**

The Honorable William H. Pauley III  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: **United States v. Richard Ammar Chichakli,**  
**S2 09 Cr. 1002 (WHP)**

Dear Judge Pauley:

The Government respectfully submits this letter in response to the Court's request for an update on the status of the defendant's discovery laptop. I have spoken to the MDC Legal Department about the allegations raised by the defendant concerning his laptop. They deny that anyone at the MDC "tampered" with the laptop or removed any data. They informed me that the IT staff at MDC installed the necessary software for Outlook, as directed, and removed only the application programs that were deemed inappropriate for use within the MDC, such as DVD copying programs, certain developer software, and the program necessary to run the laptop's camera. According to the MDC, the removal of those programs should not affect the defendant's ability to review the discovery materials. They also stated that they did not set up a password for the defendant.

Given this discrepancy, it is the Government's strong preference to have an IT employee from the U.S. Attorney's Office briefly take custody of the laptop and the external hard drives containing the discovery, reinstall Outlook, and eliminate any impediments to access, such as passwords. At the same time, the employee can determine whether any data has been removed.

Unless we can examine the laptop ourselves, it will be impossible for the U.S. Attorney's Office adequately to address the defendant's claims and fix any problems that may exist.

Respectfully Submitted,

PREET BHARARA  
United States Attorney

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